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PAGE 01 STATE 122656

47

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TO AMEMBASSY MOSCOW IMMEDIATE

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E.O. 11652:N/A

TAGS: UR, PFOR, CGEN (KOVALEV, VYACHESLAV A.)

SUBJECT: ASYLUM FOR SOVIET CREWMAN

REF: A) STATE 119166 B) STATE 115567

1. PLEASE PASS FOLLOWING INFORMATION AND GUIDANCE TO DR. ROBERT M. WHITE, ADMINISTRATOR OF NOAA, ARRIVING MOSCOW MAY 26 TO HEAD U.S. DELEGATION TO SECOND JOINT COMMITTEE MEETING UNDER US-USSR OCEANOGRAPHY AGREEMENT.

2. VYACHESLAV A. KOVALEV, A TECHNICIAN ABOARD THE OCEANOGRAPHY RESEARCH VESSEL DMITRIY MENDELEYEV, REQUESTED POLITICAL ASYLUM OF U.S. AUTHORITIES AT HONOLULU. FOLLOWING DISCUSSIONS OF HIS REQUEST WITH U.S. OFFICIALS, AND ACCESS TO KOVALEV BY A SOVIET CONSULAR OFFICER ARRANGED BY THE DEPARTMENT OF STATE, THE IMMIGRATION AND NATURALIZATION SERVICE GRANTED PERMISSION FOR KOVALEV TO REMAIN IN THE LIMITED OFFICIAL USE

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PAGE 02 STATE 122656

UNITED STATES. BECAUSE KOVALEV'S DECISION TO APPLY FOR

ASYLUM APPEARS TO HAVE BEEN INFLUENCED BY HIS CONTACTS WITH TWO U.S. RESEARCHERS ABOARD THE MENDELEYEV, THE SOVIET SIDE OF THE JOINT COMMITTEE MAY RAISE WITH YOU THE QUESTION OF KOVALEV'S CONDUCT AND ATTEMPT TO ASSERT SOME RESPONSIBILITY ON THE PART OF THE U.S. SIDE OF THE JOINT COMMITTEE FOR THIS DEVELOPMENT. THE DEPARTMENT RECOMMENDS THAT, SHOULD THE SOVIETS RAISE THIS MATTER, YOU MAY WISH TO RESPOND IN THE FOLLOWING TERMS:

A) THE PARTICIPATION OF U.S. RESEARCHERS IN THE CRUISE OF THE MENDELEYEV WAS ARRANGED BETWEEN THE SOVIET INSTITUTE OF OCEANOLOGY AND A REPRESENTATIVE OF UNIVERSITY OF HAWAII, WHOSE RECORD OF THE ARRANGEMENTS MADE IN MOSCOW IN AUGUST-SEPTEMBER 1974 INDICATES THAT THE INSTITUTE OF OCEANOLOGY WAS INFORMED THAT THE PARTICIPATION OF U.S. RESEARCHERS IN THE CRUISE WOULD TAKE PLACE OUTSIDE THE US-USSR OCEANOGRAPHY AGREEMENT.

B) THE U.S. SIDE COULD NOT IN ANY CASE ASSUME RESPONSIBILITY FOR THE PERSONAL DECISION OF A PARTICIPANT IN A JOINT CRUISE, WHETHER UNDER THE AGREEMENT OR NOT, TO REQUEST PERMISSION TO REMAIN IN THE COUNTRY OF HIS CHOICE. UNDER U.S. LAW ANY ALIEN MAY MAKE SUCH A REQUEST AND THE U.S. DEPARTMENT OF JUSTICE MAY GRANT OR DENY PERMISSION.

C) IN THE INTERESTS OF COOPERATION IN CONSULAR MATTERS AND UPON THE REQUEST OF THE SOVIET EMBASSY, THE DEPARTMENT OF STATE ARRANGED CONSULAR ACCESS OF A SOVIET CONSUL TO THE INDIVIDUAL, WHO CONFIRMED IN PERSON HIS DESIRE TO REMAIN IN THE UNITED STATES. INGERSOLL

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